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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/534,563	03/27/2000	Shintaro Ichihara	Q58494	3550

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EXAMINER

HO, TUAN V

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 10/23/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/534,563

Applicant(s)

ICHIHARA, SHINTARO

Examiner

TUAN HO

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2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 7, 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The drawings were received on 7/31/200. These drawings are approved by the examiner.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-6 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Hull et al (US 5,806,005).

With regard to claim 1, Hull et al discloses in Fig. 1, digital camera system that comprises the digital camera (digital

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camera 20 inherently includes an image sensor so as to convert an optical image into image signals, col. 2, line 5), memory (memory 24, col. 3, lines 2, lines 5-6), image data memory apparatus (server 14 includes image storage device 58, col. 2, line 47-48), reduction image forming means (CPU ⁵²~~22~~ compresses image data from the digital image data of camera 20, col. 4, lines 29-35), communication apparatus (transfer system 10 includes camera 20, cellular telephone transmitter 28 and GPS 60, col. 2, line 1 and col. 2, lines 14-19), communication path (cellular telephone net work 16, col. 2, line 44) and image data is stored in the memory section (image storage device stores image data from the camera), and reduction image data (camera 20 stores compresses image data sent from the server 14 and store in memory ²⁴~~12~~ before transmitting to a facsimile machine (col. 4, lines 29-35).

With regard to claim 2 , Hull et al discloses in Fig. 1, digital camera system that comprises the display means (a view finder of the digital camera is shown in Fig. 1, col. 2, line 5-8).

With regard to claim 3, Hull et al discloses in Fig. 1, digital camera system that comprises the reduction image data forming means (CPU 22 is included in the server 14 that is the image memory apparatus).

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With regard to claim 4, Hull et al discloses in Fig. 1, digital camera system that comprises the image data forming means (CPU 22 compresses image data sent from the camera and image data stored in the storage 58 so as to sent the reduction image data back to the camera, col. 4, lines 30-35).

With regard to claim 5, Hull et al discloses in Fig. 1, digital camera system that comprises the storing means (CPU 22 connected to memory 24, col. 2, line 10 is used to store compressed image data from the server into memory 24).

With regard to claim 6, Hull et al discloses in Fig. 1, digital camera system that comprises the digital camera (transfer system 10 includes digital camera 20).

With regard to claim 8, Hull et al discloses in Fig. 1, digital camera system that comprises image data memory apparatus (server 14, col. 2, line 19), memory section (server 14 includes storage 58), reduction image data forming means (CPU 52 compresses image data from the camera, col. 4, lines 30-35), transmission means (CPU 52 working in combination with modem 56 and network 16 transmits the compressed image data back to the camera memory, col. 4, lines 30-35).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hull et al.

Hull discloses all the subject matter as discussed with respect to claim 1, except for the memory section comprises cache area and saving area.

Official Notice is taken that a cache memory is used in a memory device so as to store image data deleted as needed.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the storage device 58 of Hull so as to store image data in a cache area where the image data is deleted as needed and a saving area for store new image data. This is because the modification of the storage of Hull would allow the system to separate image old image data in order to delete as needed and thereby to improve the efficiency of the system.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Parulski et al discloses a printing system that includes a digital camera.

Steinberg et al discloses a method for controlling a camera system which includes a memory.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan Ho whose telephone number is (703) 305-4943. The examiner can normally be reached on Monday-Friday from 7:00 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber, can be reached on (703) 305-4929.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the

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Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.

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10/20/03



TUAN HO
PRIMARY EXAMINER